

SECOND AMENDED  
APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAY 03 1988  
Returned to applicant for correction MAY 23 1988  
Corrected application filed JUL 18 1988  
Map filed JUL 18 1988

The applicant EUREKA RESOURCES (NEVADA) INC.  
837 East Cordova St. of Vancouver, B.C.  
Street and No. or P.O. Box No. City or Town  
Canada, V6A 3R2, hereby make S application for permission to appropriate the public  
State and Zip Code No.  
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a  
copartnership or association, give names of members.) Reno, Nevada - June 22, 1987  
P.O. Box 2311, Reno, Nevada 89505, Attn: R. Jeppson

1. The source of the proposed appropriation is Underground  
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 0.22 (100gpm) second-feet  
One second-foot equals 448.83 gals. per min.  
(a) If stored in reservoir give number of acre-feet
3. The water to be used for Mining, Milling and Domestic Use  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under "No. 12. Remarks") see remarks
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point within the NW 1/4 SW 1/4 Section 10,  
Describe as being within a 40-acre subdivision of public  
T.7N., R.33E., M.D.B.&M. or at a point from which the Northeast corner of said  
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.  
Section 10 bears N.50°21'37"E. 5752.72 Feet.
6. Place of use Section 10, T.7N., R.33E., M.D.B.&M.  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
7. Use will begin about January 1 and end about December 31, of each year.  
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Drilled Well with pump and motor  
State manner in which water is to be diverted, i.e. diversion structure, ditches and  
flumes, drilled well with pump and motor, etc.
9. Estimated cost of works \$20,000

10. Estimated time required to construct works 1 year

If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 2 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Mining - Water to be used for processing ore through a 100 Ton/Day mill and  
sprinkling on heap leach pads. 100 gal/minute required, however recirculation  
of up to 50% anticipated.

By s/Thomas A. Foote, agent

Thomas A. Foote, agent

160 Hubbard Way, Reno, NV 89502

Compared bk/ kh

pm/bc

Protested \_\_\_\_\_

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water place to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed 0.22 cubic feet per second, but not to exceed 51.9

million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 20, 1991

Proof of completion of work shall be filed on or before May 20, 1991

Application of water to beneficial use shall be made on or before April 20, 1994

Proof of the application of water to beneficial use shall be filed on or before May 20, 1994

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed \_\_\_\_\_ IN TESTIMONY WHEREOF, I PETER G. MORROS

State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed \_\_\_\_\_

office, this 20th day of April,

Cultural map filed \_\_\_\_\_

A.D. 19 89

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

Peter G. Morros  
 State Engineer

(PERMIT TERMS CONTINUED)

No perforations shall be put in the production casing from ground level to 100 feet.

The total combined duty of water under Permits 52072 and 52073 shall not exceed 51.9 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The permittee shall submit to the State Engineer on a monthly basis the amount of water pumped from each well.

